

Message Text

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TO SECSTATE WASHDC 5806

INFO AMEMBASSY MANAGUA

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E.O. 11652: N/A

TAGS: SHUM, CS, NU

SUBJECT: HUMAN RIGHTS REQUESTS: LIANA BENAVIDES

REF: STATE 289847

1. SUMMARY: THE INCARCERATION IN NICARAGUA OF COSTA RICAN STUDENT LIANA BENAVIDES HAS RECEIVED WIDESPREAD PUBLICITY IN COSTA RICA, WHERE STUDENT AND OTHER GROUPS ARE PRESSURING FOR HER RELEASE. ACCORDING TO PRESS ACCOUNTS, THREE EX-PRESIDENTS, THE LEGISLATURE, EX-FOREIGN MINISTER FACIO, THE ODUBER GOVERNMENT, AND THE OPPOSITION PRESS AND CIVIC GROUPS ARE ALSO INVOLVED IN THE FREE-LIANA EFFORT. MS. BENAVIDES MAY BE TRIED BY MILITARY TRIBUNAL IN NICARAGUA PRIOR TO CHRISTMAS. END SUMMARY.

2. COSTA RICAN STUDENT LIANA BENAVIDES HAS BEEN IN A NICARAGUAN JAIL FOR 14 MONTHS. SHE IS CHARGED WITH SUBVERSION. ON-AGAIN-OFF-AGAIN PUBLIC INTEREST IN HER PLIGHT WAS RENEWED IN AUGUST WHEN WORD WAS RECEIVED THAT MS. BENAVIDES HAD BEEN TRANSFERRED FROM A MODEL CORRECTIONAL INSTITUTION TO A REGULAR PRISON WHICH APPARENTLY HAD LESS THAN SATISFACTORY FACILITIES. BESIDES THE EXPECTED OUTCRY FROM UNIVERSITY STUDENTS AND SOME LEFTIST GROUPS, THE GON ACTION EVOKED A SHARP REJOINDER IN EARLY SEPTEMBER FROM THEN FOREIGN MINISTER GONZALO FACIO, WHO USED THE OCCASION TO CRITICIZE NICARAGUA'S HANDLING OF THE CASE FROM ITS INCEPTION. COSTA RICAN MEDIA, AND ESPECIALLY OPPOSITION
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LA REPUBLICA ECHOED THESE SENTIMENTS.

3. WHEN IT BECAME CLEAR THAT GON WAS NOT RESPONDING TO THIS PRESSURE AND THAT MS. BENAVIDES HAD BEGUN A HUNGER STRIKE TO DRAMATIZE HER PLIGHT, THE PUBLIC OUTCRY IN COSTA RICA GREW. A PETITION WAS SIGNED BY 28 ORGANIZATIONS (MAINLY LEFTIST) DEMANDING HER REWEASE, AND A "FREE LIANA COMMITTEE" WAS ESTABLISHED. AMNESTY INTERNATIONAL'S CALL FOR HER RELEASE OCTOBER 13 ALSO RECEIVED WIDESPREAD PUBLICITY HERE. ON OCTOBER 22, THE THREE LIVING FORMER PRESIDENTS OF COSTA RICA, JOSE FIGUERES, MARIO ECHANDI AND JOSE JOAQUIN TREJOS SENT AN OPEN LETTER TO PRESIDENT SOMOZA REQUESTING MS. BENAVIDES BE TREATED WITH CLEMENCY. AT THE SAME TIME THE BENAVIDES CASE ENTERED INTO NATIONAL ASSEMBLY DEBATES ON COSTA RICAN-NICARAGUAN RELATIONS WHERE HER FREEDOM WAS DEMANDED PUBLICLY BY ASSORTED DEPUTIES. WHILE A MOTION TO SEND A LETTER TO THE NICARAGUAN LEGISLATIVE WAS INTRODUCED IN THE NATIONAL ASSEMBLY IN JANUARY 1976 BY THE TWO COMMUNIST DEPUTIES IT WAS NEVER ACTED UPON. TO THE BEST OF OUR KNOWLEDGE, NO OFFICIAL REPRESENTATION IN BEHALF OF MS. BENAVIDES BY THE ASSEMBLY TO THE GON HAS BEDEMADE.

4. PRESIDENTS ODUBER AND SOMOZA MET IN NICARAGUA NOVEMBER 5 TO DISCUSS BILATERAL PROBLEMS. THE BENAVIDES CASE WAS REPORTEDLY RAISED. FOLLOWING THE TALKS, SOMOZA TOLD NEWSMEN IT WAS NOT A MAJOR ISSUE BETWEEN THE TWO COUNTRIES.

5. SINCE THE PRESIDENTIAL MEETING THERE HAS BEEN LESS PUBLIC MENTION OF THE CASE. IT RECENTLY HAS BEEN REPORTED THAT MS BENAVIDES WOULD BE TRIED BY A MILITARY COURT IN NICARAGUA. LEADING DAILY LA NACION ALSO HAS REPORTED THAT ACCORDING TO INFORMED SOURCES, MS. BENAVIDES' TRIAL BY MILITARY COURLTVOULD CONCLUDE PRIOR TO CHRISTMAS, AND THAT HER FAMILY HAS HIGH HOPES FOR HER RELEASE. KILDAY

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